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APR 02 2003
OFFICE OF FINANCE
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DEP & REF
307

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: APR -9 PM 4: 21

HENRY et al. US PATENT & TRADEMARK OFFICE

Serial No.: 10/072,150

Filed: February 6, 2002

Confirmation No.: 1370

Atty. File No.: 42074-00393

For: "SENSOR HEAD COMPONENT"

) Group Art Unit: 2632

) Examiner:

REQUEST FOR REFUND
UNDER 37 C.F.R. §1.26

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 ON 3/27/03

MARSH FISCHMANN & BREYFOGLE, LLP

By: *Daniel*

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In connection with the filing of a Petition for Revival in connection with the above-identified U.S. patent application, Applicant hereby requests a refund in the amount of \$130.00. At the time of filing the Petition for Revival on January 22, 2003, a petition fee of \$650.00 was submitted. However, the Monthly Statement of Deposit Account dated February 28, 2003, shows a debit in the amount of \$130.00 for a Petition fee. It is believed that this debit from the Deposit Account for \$130.00 was made in error. Enclosed please find a copy of the Petition for Revival, canceled Check No. 2978, return postcard duly stamped by the U.S. Patent and Trademark Office, and Deposit Account Statement dated February 28, 2003.

In light of the above, it is respectfully requested that the Petition fee of \$130.00 be credited to Deposit Account No. 50-1419 on behalf of the assignee.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: *Kenneth J. Johnson*
Kenneth J. Johnson, Esq.
Registration No. 36,834
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997

Date: 3/27/03

Adjustment date: 03/05/2004 SDIRETA1
02/14/2003 AKELLEY 00000016 501419 10072150
01 FC:1460 130.00 CR

**Petition For Revival Of An Application For Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
42074-00393

In Re Application Of: **HENRY et al.**

APR 02 2003

Serial No.
10/072,150

Filing Date
February 6, 2002

Examiner
Not Yet Assigned

Group Art Unit
2632

Invention: **SENSOR HEAD COMPONENT**

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: Submission of Formal Drawings

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☐ A small entity declaration:

☐ is enclosed. ☐ was filed on _____

4. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
42074-00393

In Re Application Of: **HENRY et al.**

Serial No.
10/072,150

Filing Date
February 6, 2002

Examiner
Not Yet Assigned

Group Art Unit
2632

Invention: **SENSOR HEAD COMPONENT**

Calculation and Payment of Fees

Enclosed are the following fees:

7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$650.00
8. ☐ Fee for amendment in the amount of: _____
9. ☐ Fee for extension of time to reply to Office Action in the amount of: _____
10. ☐ Issue fee in the amount of: _____
11. ☐ Continuing application filing fee in the amount of: _____
12. ☐ Terminal disclaimer fee in the amount of: _____
13. ☐ _____
- Total fees enclosed: \$650.00

The fee of **\$650** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1419
- A duplicate copy of this sheet is enclosed.

Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)

Docket No.
42074-00393

In Re Application Of: HENRY et al.

APR 02 2003

Serial No.
10/072,150

Filing Date
February 6, 2002

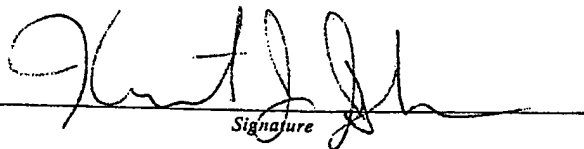
Examiner
Not Yet Assigned

Group Art Unit
2632

Invention: SENSOR HEAD COMPONENT

Statement

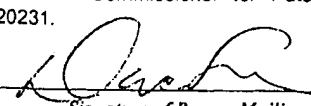
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

Dated: January 22, 2003

Kenneth J. Johnson, Esq.
Reg. No. 36,834
Marsh Fischmann & Breyfogle LLP
3151 S. Vaughn Way, Suite 411
Aurora, Colorado 80020
Telephone: 303-338-0997
Facsimile: 303-338-1514

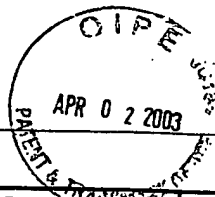
I certify that this document and fee is being deposited
on 01/22/03 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence

Daxmara Sanchez

Typed or Printed Name of Person Mailing Correspondence

CC:



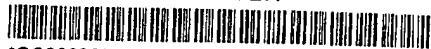
Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,150	02/06/2002	Kent D. Henry	42074-00393

Marsh Fischmann & Breyfogle LLP
Suite 411
3151 S. Vaughn Way
Aurora, CO 80014

CONFIRMATION NO. 1370

FORMALITIES LETTER



OC000000009394931

Date Mailed: 01/17/2003

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 05/11/2002 to the Notice to File Missing Parts (Notice) mailed 03/05/2002 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 2a, 2b, 9, 12b, 14b & 16.

*A copy of this notice **MUST** be returned with the reply.*

Allen Restaye

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

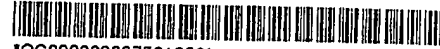
APR 02 2003

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,150	02/06/2002	Kent D. Henry	42074-00393

CONFIRMATION NO. 1370

FORMALITIES LETTER



OC000000007581259

 Marsh Fischmann & Breyfogle LLP
 Suite 411
 3151 S. Vaughn Way
 Aurora, CO 80014

RECEIVED

MAR 8 2002

MARSH FISCHMANN & BREYFOGLE LLP

Date Mailed: 03/05/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Todd Hochwitz
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Kent D. Henry, et al.

Serial No.: 10/072,150

Filed: February 6, 2002

Confirmation No.: 1370

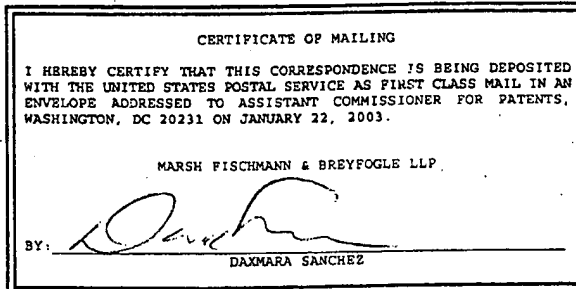
Atty. File No.: 42074-00393

For: "SENSOR HEAD COMPONENT"

) Group Art Unit: 2632

) Examiner: Not Yet Assigned

) SUBMISSION OF FORMAL DRAWINGS



Assistant Commissioner for Patents

Washington, D.C. 20231

ATTN: DRAWING REVIEW BRANCH

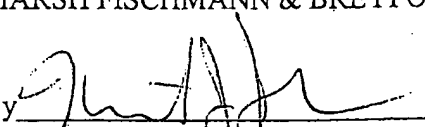
Dear Sir:

In response to the "Notice of missing Parts" having a mailing date of March 5, 2002, regarding the above-identified patent application, enclosed for filing with said application are 30 sheets of formal, inked drawings illustrating Figs. 1a-25 of the application. Figs. 1a-25 constitute all of the drawings in the application.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By


Kenneth J. Johnson, Esq.

Registration No. 36,834

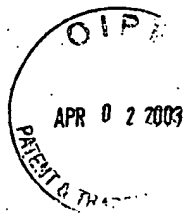
3151 South Vaughn Way, Suite 411

Aurora, Colorado 80014

Telephone: (303) 338-0997

Facsimile: (303) 338-1514

Date: January 22, 2003



Attorney: Kenneth J. Johnson/dax

Date: January 22, 2003

PTO Stamp indicates receipt of: ☒ Patent Matter ☐ Trademark Matter

Application Docket No.: 42074-00393

Applicant: Kent D. Henry, Ph.D., et al.

Title or Mark: "Sensor Head Component"

Serial/Reg. No.: 10/072,150

Filed/Issued Date: February 4, 2002

☒ Certificate of Mailing

☐ Express Mail No.:

☒ Check for \$650.00/Check No. 2578

00 No. of Pages in Specification

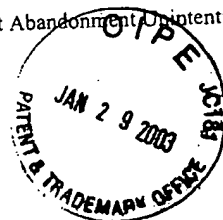
00 No. of Pages in Claims

00 No. of Pages in Abstract

30 No. of Sheets of Drawings

LIST ALL DOCUMENTS BEING SENT TO PATENT OFFICE:

1. Petition for Revival Of An Application For Patent Abandonment Unintentionally
2. Submission of Formal Drawings
3. Formal Drawings
4. Copy of Notice to File Missing Parts
5. Copy of Notice of Incomplete Reply



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 01-29-2003
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your Deposit Account, detach and return top portion with your check. Make check payable to Commissioner of Patents & Trademarks.

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APR 02 2003
PATENT & TRADEMARKS

Account No.	501419
Date	2-28-03
Page	1

MARSH FISCHMANN & BREYFOGLE LLP
THOMAS R MARSH
3151 SOUTH VAUGHN WAY
SUITE 411
AURORA CO 80014

FINA

PLEASE SEND REMITTANCES TO:
Patent and Trademark Office
P.O. Box 70541
Chicago, Ill. 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
2	3	03	83	10355367	50035-00002	2201	Clms over 3 5.00 OK	2770.00
2	3	03	107	10355440	41942-05527	1001	Reg fee 10.00 OK	2760.00
2	6	03	27	10357870	50017-00029	1202	Clms over 20 10.00 OK	2750.00
2	12	03	9	not in Patsy 60338787	?	9204	130.00 ?	2880.00
2	12	03	32	10360662	50033-00005	2202	Clms over 20 5.00 OK	2875.00
2	14	03	35	10072150	42074-00393	1460	Pat fee 130.00	2745.00
2	21	03	276	78217076	41942-05532	7001	Reg fee 335.00 OK	2410.00
2	25	03	226	2041097	42469-00450	7205	Sec 8 off 100.00 OK	2310.00
2	25	03	227	2041097	45118-00024	7208	Sec 15 off 200.00 OK	2110.00
2	26	03	930	76058150	45118-00011	7004	Spec est 150.00 OK	1960.00
2	26	03	977	76057612	41942-05468	7004	Spec est 150.00 OK	1810.00
2	28	03	888	76337859		7004	Spec est 150.00 OK	1660.00

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MAR 24 2003

MARSH FISCHMANN & BREYFOGLE LLP

AN AMOUNT SUFFICIENT TO
COVER ALL SERVICES REQUESTED
MUST ALWAYS BE ON DEPOSIT.

OPENING BALANCE
2775.00

TOTAL CHARGES
1245.00

TOTAL CREDITS
130.00

CLOSING BALANCE
1660.00

*** O.D. INDICATES OVERDRAWN